

Draft Environmental Assessment

Ninepipe Wildlife Management Area Wetland Habitat Restoration Plan



August 2009



**Ninepipe WMA Wetland Habitat Restoration Plan
Draft Environmental Assessment
MEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action: Montana Fish, Wildlife and Parks (MFWP) proposes to work with Ducks Unlimited (DU) to restore and create wetland habitats within Ninepipe Wildlife Management Area (WMA) on the area previously known as the Ringneck Ranch and Davis properties. The Ringneck Ranch was purchased using a grant from State Duck Stamp funds and North American Wetland Conservation Act (NAWCA) grant. These WMA lands provide long-term conservation of upland bird, migratory waterfowl, and other wildlife habitat in the Mission Valley.

2. Agency authority: State Statute 87-1-209 defines the authority MFWP has in acquiring land for the restoration, propagation, and/or protection of game, birds, fish, or fur-bearing animals.

Additionally, MFWP and the Confederated Salish and Kootenai Tribes work cooperatively through the Flathead Indian Reservation Fish and Wildlife Board and State-Tribal Bird Hunting & Fishing Agreement to establish hunting seasons for upland birds and migratory waterfowl, and implement conservation programs.

3. Anticipated schedule: Estimated completion date: December 2009

4. Location affected by proposed action: Lake County - Township 19 N, Range 20 W, Section 4 and Township 20 N, Range 20 W, Section 33.

5. Project size: Approximately 124 acres

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>123.7</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>.3</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

6. Listing of any other local, state, or federal agency that has overlapping or additional jurisdiction:

(a) Permits: Permits will be filed at least 2 weeks prior to project start.

US Army Corps of Engineers 404 Permit
Tribal Shoreline Protection Office ALCO Permit

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
NAWCA Grant	\$100,000
State Migratory Bird Conservation	\$128,000

(c) Other overlapping or additional jurisdictional responsibilities:

State Historic Preservation Office – cultural resources
Confederated Salish and Kootenai Tribes

7. Proposal:

Montana Fish, Wildlife & Parks (MFWP) purchased the 200-acre Ringneck Ranch in 2005 and 2009, and the 62-acre Davis property in 2006 and 2007. The property is located adjacent to the existing Ninepipe Wildlife Management Area (WMA) in Lake County, Montana. The proposal is to restore drained wetland habitats and create new wetlands on this property. Ducks Unlimited, in cooperation with MFWP, has designed the wetland restorations (see attached map).

The Ninepipe WMA lies within a high priority area identified in the Five Valleys Prairie Pothole Joint Venture of the North American Waterfowl Plan and the recent Glaciated Valleys NAWCA application. The Five Valleys plan identified high quality waterfowl production habitats in northwestern Montana. This area lies within a priority wetland and wildlife restoration program for the Confederated Salish and Kootenai Tribes (CSKT). The Ringneck Ranch and Davis properties are situated amid a complex of Tribal, state, and federally managed wildlife habitat protection sites in the Mission Valley that contain a highly unique prairie pothole wetland complex containing thousands of small pothole wetlands.

MFWP along with many other entities has helped conserve the prairie pothole ecosystem by enhancing the Ninepipe Wildlife Management Area since the early 1950s. This pothole region area comprises about 13,000 acres and lies north of the National Bison Range (Fig. 2). MFWP's Ninepipe WMA lies in the heart of this pothole complex and surrounds the Ninepipe National Wildlife Refuge. It adjoins several federal waterfowl production areas, private lands with conservation easements held by the U.S. Fish and Wildlife Service, and several Tribal wildlife habitat mitigation areas managed by the CSKT for their wetland and wildlife values. This area is also important to breeding and migratory waterfowl, shorebirds, amphibians and reptiles, and grizzly bears. This productive upland habitat also supports other wildlife species, including trumpeter swans, owls, and other raptors, including bald eagles and peregrine falcons, sandhill cranes, shore birds, songbirds, small mammals, and reptiles and amphibians. The Ninepipe wetland complexes are in the midst of a trumpeter swan reintroduction effort spearheaded by CSKT. The general area supports one of the highest recorded densities of nesting short-eared owls and northern harriers. Winter concentrations of rough-legged hawks and other raptor species rival other similar habitat types throughout North America.

The Ringneck Ranch and Davis properties contains at least 9 existing pothole wetlands comprising 8 acres as well as an estimated 5 restorable wetlands comprising approximately 124 acres.

Hiking, birdwatching, photography, dog training, and nature study are becoming increasingly popular and would all occur on this property. Some form of wildlife-oriented recreation occurs on the Ninepipe WMA every day of the year, and this level of use is expected to increase. This property offers excellent birdwatching for waterfowl, raptors, and other birds. About 100 nonhunting recreational days per year occur.

Restoration of Historic and Construction of New Wetlands

MFWP proposes to establish approximately 124 acres of wetlands in areas where they have historically been present before being drained for farming and to construct new wetlands in area where they are strategically located for overall WMA habitat enhancement.

Three individual wetlands are the focus of this WMA habitat improvement. Design plans for the wetland were developed with the assistance of the Great Plains Regional Office of Ducks Unlimited. At the locations of the proposed wetlands it is estimated that 40,000 cubic yards of soil will need to be manipulated to construct the necessary embankments and elevation depths to ensure water levels within the wetlands are manipulated at levels to ensure properly functioning habitats.

Locations and designs of the proposed wetlands have taken into consideration the natural topography and elevation in those areas to take advantage of low-lying areas and historic wetland spots. The targeted acres will be seasonally flooded naturally and from the Flathead Irrigation Project. Water will recede naturally into the lower elevations, where a portion of the water is likely to remain throughout the year.

MFWP has completed similar habitat enhancement projects within the WMA in the past, which are now healthy functioning wetlands supporting a variety of waterfowl, small mammals, and invertebrates.

8. Alternatives:

Alternative A: Proposed Action

MFWP proposes to create/enhance approximately 124 acres of wetlands on the Ringneck Ranch and Davis portions of the Ninepipe Wildlife Management Area near Charlo, Montana (see map). The project would be conducted for the benefit of migratory waterfowl, shorebirds, songbirds, wading birds, and upland game birds.

Alternative B: No Action

MFWP does not create/enhance any wetland acres on the Ringneck Ranch and Davis portions of the Ninepipe WMA. No new wildlife habitat would result from the no-action alternative. Status quo would be maintained at the areas, and MFWP would continue to manage the WMA as it has in the past for the benefit of upland game birds and waterfowl.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?			X			1a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X			1b
c. Destruction, covering, or modification of any unique geologic or physical features?			X			1c
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X			1d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1a – d: The proposed wetlands habitat improvement project requires the movement of soil in the locations of where the embankments will be situated and in areas where the soil levels need to be deepened to mimic historic wetland depths. No new soil will be required. Only the local soils will be manipulated for the formation of the wetlands. The acres that will be targeted have been altered by past farming practices. The proposed project is not expected to modify any unique geological features. The proposed design of the embankments will ensure no new erosion patterns are established that could expose nearby roads to hazards. Soils disturbed by construction will be reseeded with sod-forming vegetation. This project will return the area to a wetland complex that existed in this location historically. There will be more wetland surface acres that existed historically versus the tame grasses and grain crops that exist today.

2. <u>AIR</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				

The construction of proposed wetlands will use earthmoving equipment. Emissions for the construction equipment may create some exhaust odors and deteriorate the ambient air quality for the duration of the development of the wetlands. However, the construction period is expected to be relatively brief at which time the air quality will return to preconstruction levels.

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?			X			
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			3b
c. Alteration of the course or magnitude of floodwater or other flows?			X			
d. Changes in the amount of surface water in any water body or creation of a new water body?			X			3d
e. Exposure of people or property to water-related hazards such as flooding?			X			3e
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				3i
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				

3b. The proposed reestablishment of wetlands would necessitate the reconfiguration of soil levels and elevations to channel surface water and water from the irrigation ditch into the new wetland. Once developed, MFWP will redirect seasonal rainfall and snowmelt into the wetland areas, as well as, periodically flushing the wetlands with water from the irrigation ditch. Other portions of the land will remain in its current state.

3e. The potential for flooding will be minimized by the new embankment around the new wetland that will both retain the water level in the deeper portions of the wetland and redirect the water away from private property.

3i. The use of water from the Flathead Irrigation District ditch is granted through MFWP's annual subscription to the district. Use of the District's water will not affect others who use the ditch for irrigation purposes.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a
b. Alteration of a plant community?			X			4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?				X		4d
e. Establishment or spread of noxious weeds?		X				

4a – d: This project will change the vegetation from nonnative hay crops and noxious weeds to native wetland-associated plant species. The project will include ground-disturbing activities that may result in the establishment of noxious weeds. The potential for this dynamic to occur will be recognized and reduced by cleaning vehicles and equipment entering and leaving the project site. Also, only certified weed-free mixes will be used for reseeding of disturbed areas. MFWP will continue to control noxious weeds through mechanical, chemical, and biological means under the guidance of MFWP's 2008 Integrated Noxious Weed Management Plan on the WMA, including the newly developed wetlands.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?		X				5b
c. Changes in the diversity or abundance of nongame species?		X				5c
d. Introduction of new species into an area?		X				5d
e. Creation of a barrier to the migration or movement of animals?		X				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				5g

5a – g: The project will result in increased wildlife diversity and create new wetland wildlife habitats.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				6a
b. Exposure of people to severe or nuisance noise levels?		X				6b
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				6c
d. Interference with radio or television reception and operation?		X				6d

6a – d: Public motorized use of this property is prohibited, and noise from equipment used in construction will be similar to current agricultural activities.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use, the presence of which would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

7a: The project represents a change from agricultural hay and grain crops to restored/created wetlands and associated native vegetation. MFWP will continue to cultivate limited acres as food plot on the ranch for the benefit of game bird species. The addition of wetlands to the area will also benefit many avian species.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				8c

8c: The proposed management plan will not create any human health risks or hazards. Inherent risks are associated with hunting and outdoor recreational activities. MFWP would monitor the area for significant hazards and provide educational materials and law enforcement patrols to promote safe and responsible use of the property. If noxious weeds become a problem, pesticides could be used to reduce, control, or eradicate them, in accordance with the MFWP 2008 Integrated Noxious Weed Management Plan. Trained, licensed professionals would conduct any weed treatment and store or use chemicals in accordance with proper operating procedures and label instructions to minimize potential unintended consequences to wildlife, vegetation, and visitors to the property.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				9a
b. Alteration of the social structure of a community?		X				9b
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				9d
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e

9a – b and 9d – e: The proposed management activities will not alter the community in any way. Traffic could increase slightly due to public access of the property, but is anticipated to be very minimal. No commercial activity is proposed.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				10a
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				10c
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources.	None					
f. Define projected maintenance costs.	Minimal, primarily weed control					

10a – c: MFWP by statute is required to pay property taxes to Lake County in the amount equal to taxes assessed to private lands. Anticipated maintenance costs of the wetlands are expected to be minimal and would include ongoing weed management, which is already part of the operations budget for the WMA. Most noxious weeds grow under agricultural situations, and infestations decrease under wetland management scenario.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				11a
b. Alteration of the aesthetic character of a community or neighborhood?		X				11b
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		X				11c

11a – c: Recreational hunting and other recreational uses will be allowed on this property. These activities are consistent with the purposes of MFWP's acquisition of this property. There will be no other changes from current land uses or development of any kind that would alter habitat characteristics or aesthetics. No scenic vista will be altered in a negative manner, and no community character will be altered. There will actually be some increased recreational opportunities for the community of Charlo and neighboring communities in the Mission Valley.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?	X					
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				

When MFWP acquired the property, MFWP consulted with the State Historic Preservation Office (SHPO) and the Salish and Kootenai Tribal Councils. SHPO also did not find any recorded archaeological or historical data for the proposed project lands. MFWP is currently working with the Tribal Preservation office to survey the property. If any previously unknown cultural or historical resources are located during the construction of the wetlands, MFWP will contact SHPO and the Tribal historical resources representative for guidance before construction is continued.

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Since the WMA is within the boundaries of the Flathead Indian Reservation, MFWP has been in communication with the Tribal Wildlife Program staff and the Flathead Reservation Fish & Wildlife Board about the proposed wetland restoration. They are supportive of the project, and MFWP will continue to keep the Tribes informed as the project progresses.

PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment. The proposed wetland creation/enhancement project maintains or enhances the fish and wildlife habitat values of the property.

PART IV. PUBLIC PARTICIPATION

1. Public involvement for this project:

The public will be notified in the following manners to comment on this draft EA, the proposed action, and alternatives:

- Two public notices in each of these papers: The Char-Koosta and Lake County Leader;
- One statewide press release; and
- Public notice on the Fish, Wildlife & Parks web site: <http://fwp.mt.gov>.

Notification of this environmental assessment will be sent to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope, having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will be fourteen days through August 26, 2009. Please e-mail comments to jiwilliams@mt.gov or send written comments to the following address:

Jim Williams, Wildlife Manager
Montana Fish, Wildlife & Parks
490 N. Meridian Road
Kalispell, MT 59901

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? No.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary, and an environmental assessment is the appropriate level of analysis.

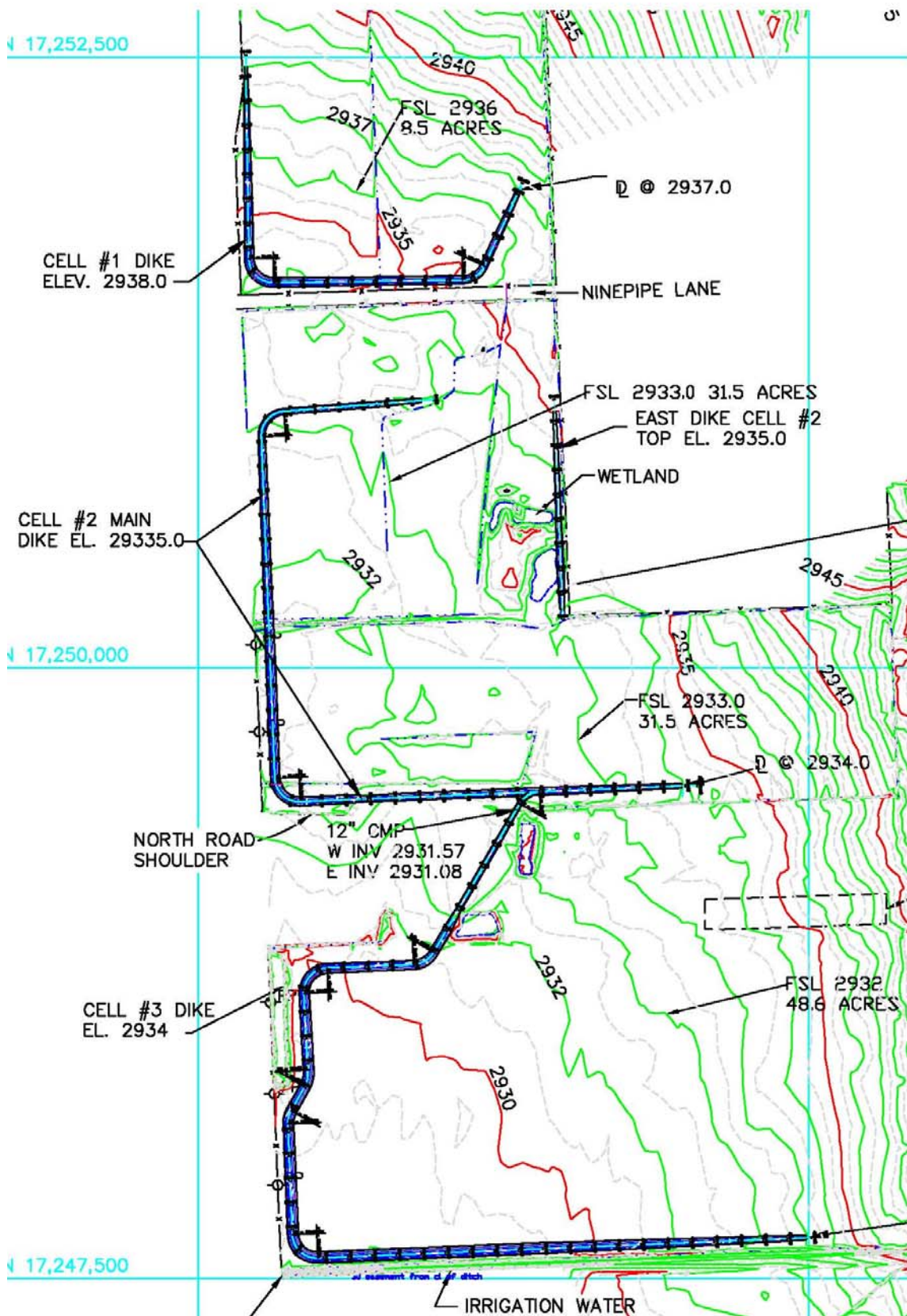
2. Persons responsible for preparing the EA:

Jim Williams, MFWP Wildlife Program Manager	Kalispell, MT
John Grant, MFWP Wildlife Biologist	Charlo, MT
Rebecca Cooper, MFWP MEPA Coordinator	Helena, MT

3. List of agencies consulted during preparation of the EA:

Confederated Salish and Kootenai Tribes
Montana Fish, Wildlife & Parks
Lands
Legal Bureau
Wildlife Division
Bonneville Power Administration

Appendix A: Wetland Design Maps



Appendix B: SHPO Letter

From: Murdo, Damon
Sent: Tuesday, July 21, 2009 3:51 PM
To: Ivy, Nancy
Subject: RE: File Search Request form

July 21, 2009

Nancy Ivy
FWP
490 N. Meridian Road
Kalispell MT 59901

RE: NINEPIPE WMA RINGNECK SECTION WETLAND HABITAT
RESTORATION PLAN. SHPO Project #: 2009072106.

Dear Nancy:

I have conducted a cultural resource file search for the above-cited project located in Section 4, T19N R20W. According to our records there has been one previously recorded site within the designated search locale. In addition to the site there have been a few previously conducted cultural resource inventories done in the area.

After reviewing the previously conducted inventories in Section 4, it does not look like this particular area has ever been inventoried. Based on the lack of previous inventory and the ground disturbance required by this undertaking we feel that this project has the potential to impact cultural properties. We, therefore, recommend that a cultural resource inventory be conducted in order to determine whether or not sites exist and if they will be impacted.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov <<mailto:dmurdo@mt.gov>>. Thank you for consulting with us.

Sincerely,

Damon Murdo
Cultural Records Manager
State Historic Preservation Office

File: FWP/WILDLIFE/2009